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# PENDORF & CUTLIFF

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February 8, 2002

## BOX PATENT APPLICATION

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

## SMALL ENTITY

Re: Rule 1.53(b) CIP Application  
of Jose V. TORRES  
Entitled: "IMMUNOGENIC FORMULATION AND PROCESS  
FOR PREPARATION THEREOF"  
Our Ref.: 3648.032

Dear Sir:

This is a request for filing a Continuation-in-Part Application of pending prior parent Application No. **09/414,484** filed on October 8, 1999, entitled "PREPARATION AND USE OF HYPERVARIABLE EPITOPE CONSTRUCTS."

This application is being filed under 37 CFR 1.53(b). We enclose the specification, claims, abstract, and sixteen (16) sheets of drawings. **The executed Declaration and Power of Attorney will be filed at a later date.**

The prior application is assigned to Group Art Unit **1627**.

The Government filing fee is calculated as follows:

Total claims .....	<u>31</u>	-	<u>20</u>	=	<u>11</u>	x \$ 9 =	<u>99.00</u>
Independent Claims .....	<u>8</u>	-	<u>3</u>	=	<u>5</u>	x \$42 =	<u>210.00</u>
Base Fee .....						\$	<u>370.00</u>

**TOTAL FILING FEE .....** \$ 679.00

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Attorney Docket: 3648.032

Assertion is hereby made that the inventor qualifies as an independent inventor as defined in 37 C.F.R. §1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the U.S. Patent and Trademark Office with regard to the invention entitled "IMMUNOGENIC FORMULATION AND PROCESS FOR PREPARATION THEREOF."

A check for the statutory fee of **\$679.00** is attached. You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 16-0877. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of the application to Deposit Account No. 16-0877.

Respectfully submitted,

By

  
Yaté K. Cutliff  
Registration No. 40,577

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Dated: February 8, 2002

Honorable Commissioner of  
Patents and Trademarks  
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Attorney Docket: 3648.032

**EXPRESS MAIL CERTIFICATE**

"EXPRESS MAIL" MAILING LABEL NUMBER: **EL568148405US**

DATE OF DEPOSIT: **February 8, 2002**

I HEREBY CERTIFY that this Request for a Continuation-In-Part Application with a check for **\$679.00** for the Basic Filing Fee, specification, claims, abstract, sixteen (16) sheets of formal drawings, and a return receipt postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated and is addressed: **ATTN: BOX PATENT APPLICATION, Commissioner of Patents and Trademarks, Washington, D.C. 20231.**

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 16-0877.

  
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Bonnie L. Horst

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